IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

FIRST APPEAL NO. 642 OF 2003

Office Notes, Office Memoranda of of Coram, appearances, Court's orders and Registrar's orders : Court's or Judge's orders

---

Shri Dilip Bodake for the appellant.

Shri G.N. Salukhe for Respondent No.1.

Shri A.A. Kumbhakoni for Resp.Nos. 4 & 5.

CORAM: P.V. KAKADE, J.

DATED: 3RD DEC., 2004

P.C.:

1. The learned counsel for the appellant seeks to withdraw the appeal. Learned counsel for the respondent No.1 objects the move to withdraw the appeal on the ground that he would be prejudiced. However, perusal of the entire record as well as the order of the lower Court shows that respondent No.1 cannot be prejudiced by withdrawal of the appeal by the appellant. He can have his independent remedy to pursue the matter, if he so wishes.

The appellant has filed his affidavit which is taken on record and marked "X" for identification.

Appeal stands dismissed as withdrawn with no order as to costs.

C. c. expedited.

.....